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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/510,061	02/22/2000	Klaus Hobel	ACO2603P1US	1447

7590 05/20/2002

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Intellectual Property Department
7 Livingston Avenue
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EXAMINER

SERGEANT, RABON A

ART UNIT	PAPER NUMBER
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1711

8

DATE MAILED: 05/20/2002

Please find below and/or attached an Office communication concerning this application or proceeding.



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Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

The reply filed on February 11, 2002 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicants' response fails to comply with the requirements of 37 CFR 1.121, in that the subject matter of the clean version of the claims and the marked up version of the claims fails to agree. See claim 13 for example. Applicants are required to check the consistency of the respective claim sets. Also, applicants have failed to address the last issue set forth within paragraph 1 of the Office action, with respect to claim 13. Additionally, applicants have failed to clearly address the examiner's concerns with respect to "the other of R₁ and R₂" and B, set forth within paragraph 3 of the Office action. The language has neither been discussed nor has it been amended. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Additionally, the following issues have been noted and will be formally addressed in the next Office action, if not addressed by applicants in response to this letter. Firstly, the respective variable definitions contain improper Markush groups. Markush groups, by definition, must be closed to the inclusion of additional species; therefore, the language, "... selected from the group ... comprising ..." is improper. The species of groups should be set forth using recognized Markush terminology, such as "selected from the group consisting of". Within the definitions of "one of R₁ and R₂", "the other of R₁ and R₂", and B, it is unclear if both the hetero atoms and the specified groups are present (see lines 3 and 4 of the definition of "the other of R₁ and R₂" within claim 1, for example). The hetero atoms and specified groups are not specified in the alternative.

Any inquiry concerning this communication should be directed to R. Sergent at telephone number (703) 308-2982.

R. Sergent

May 19, 2002

RABON SERGENT
PRIMARY EXAMINER